

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION

IN RE: NICHOLAS MACK WHITE AND	{	CHAPTER 13
TARA RANA WHITE,	{	
	{	
DEBTOR(S)	{	CASE NO. R19-41952-PWB
	{	
	{	JUDGE BONAPFEL

**OBJECTION TO CONFIRMATION**

COMES NOW MARY IDA TOWNSON, TRUSTEE herein, and objects to Confirmation of the plan for the following reasons:

1. The Debtor(s)' payments under the proposed plan are not current.

2. The Plan as proposed will extend beyond sixty (60) months, contrary to 11 U.S.C. Section 1322(d). (61 months).

3. The Debtor(s) has proposed to make payments directly to the Trustee but should be required to have them remitted by payroll deduction.

4. The Debtor(s) has failed to provide the Trustee with a copy of the federal tax return or transcript of such return for the most recent tax year ending immediately before the commencement of the instant case and for which a federal income tax return was filed, in violation of 11 U.S.C. Section 521(e)(2)(A)(i).

5. Pursuant to information received from the Internal Revenue Service, 2015 tax returns have not been provided to the taxing authorities; thereby, preventing the Chapter 13 Trustee from evaluating the feasibility of the Chapter 13 plan, in violation of 11 U.S.C. Sections 1322(d) and 1325(a)(6).

6. The Debtor(s)' Chapter 13 plan and schedules are inaccurate and/or incomplete; the Trustee is unable to determine either the duration or feasibility of the proposed plan. 11 U.S.C. Sections 1322(d) and 1325(a)(6); specifically, Schedule C is blank.

Mary Ida Townson, Chapter 13 Trustee  
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7. Schedule I (Income) may fail to accurately reflect new employment for Debtor Nicholas White since original Schedules filed, in violation of 11 U.S.C. Section 1329 and Bankruptcy Rule 1007.

8. The Debtor(s)' Chapter 13 plan fails to provide for an increase in payments when direct payments at \$113.15 per month for Debtor Tara White's retirement loan and direct payments at \$1,409.42 per month for Debtor Nicholas White's garnishment payment end; may show lack of good faith or create a disposable income problem in violation of 11 U.S.C. Sections 1325(a)(3) and 1325(b)(2)(A).

9. The Chapter 13 budget reflects a monthly disposable income of only \$899.99; thereby, rendering the proposed Chapter 13 plan payment of \$900.00 per month infeasible, in violation of 11 U.S.C. Section 1325(a)(6).

WHEREFORE, the Trustee moves the Court to inquire into the above objections, deny Confirmation of this Debtor's (s') Plan and to dismiss the case; or, in the alternative, convert the case to one under Chapter 7.

October 25, 2019

\_\_\_\_\_/s/\_\_\_\_\_  
Mary Ida Townson, Attorney  
Chapter 13 Trustee  
GA Bar No. 715063

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**CERTIFICATE OF SERVICE**

This is to certify that on this day I caused a copy of the foregoing pleading to be served via United States First Class Mail, with adequate postage thereon, on the following parties at the address shown for each:

DEBTOR(S):

NICHOLAS MACK WHITE  
312 PETERS STREET  
CALHOUN, GA 30701-2720

TARA RANA WHITE  
312 PETERS STREET  
CALHOUN, GA 30701-2720

I further certify that I have on this day electronically filed the pleading using the Bankruptcy Court's Electronic Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

SAEGER & ASSOCIATES, LLC

This 25th day of October 2019

\_\_\_\_\_/s/\_\_\_\_\_  
Mary Ida Townson, Attorney  
Chapter 13 Trustee  
GA Bar No. 715063

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